

HOUSE BILL 121
By Buck

AN ACT to amend Tennessee Code Annotated, Title 8; Title 38;
Title 39; Title 40 and Title 41, relative to the attorney
general and reporter and the criminal justice system.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-6-112, is amended by adding the
following as a new subsection:

(f)

(1) The attorney general and reporter shall also have the authority
to conduct an investigation into a specific proceeding of the criminal
justice system if the attorney general receives credible evidence that an
impropriety in such proceeding has occurred, that a pattern or series of
irregularities has occurred or is continuing to occur or that a specific
function of the system is being operated in contravention of the laws of
this state or of the constitution of Tennessee or the United States.

(2) The authority conferred by this subsection shall extend to an
investigation conducted by the attorney general and reporter regardless
of whether the impropriety or irregularity has occurred or is occurring
statewide or in a particular part of the state, judicial district or county.

(3) In conducting such an investigation, the attorney general and reporter shall have all of the authority to request the assistance and cooperation of the Tennessee bureau of investigation and the district attorneys general conference as is conferred by this section.

(4) If after concluding the investigation, the attorney general and reporter determines that there is probable cause to pursue a criminal prosecution against a person or official involved in the criminal justice system, the attorney general and reporter shall have all of the authority to do so otherwise conferred by this section.

SECTION 2. This act shall take effect July 1, 2003, the public welfare requiring it.